



Application No. 10/518,886  
Docket No. 2002B096/2  
Amdt. dated August 4, 2006  
Reply to Office Action of June 6, 2006

Applicants respectfully traverse the rejection on grounds that a combination of the references does not teach, show, or suggest the claimed invention. The motivation suggested in the Office Action is to improve processability by "adding extender oil to an elastoplastic composition." Indeed, green strength improved as demonstrated in Table 3 of Tsou (the higher the green strength the better processability). However, Tsou squarely demonstrated the decreasing trend of the air impermeability (increasing trend of air permeability) as shown in Table 5 of Tsou.

Applicants application demonstrated the exact opposite trend of increasing air impermeability (decreasing trend of air permeability) as shown in Table 6 of the Applicant's application with similar green strength (see Table 5 of the Applicants' application). Indeed, the air permeability decreased from 4.53 to 2.45  $\text{cm}^3\text{-cm/cm}^2\text{-sec-atm} (\times 10^8)$ .

Applicants submit that Tsou and Coran teach squarely away from applicants' claimed invention as amended. Applicants submit that by studying Tsou and Coran, a person of ordinary skill would not be motivated to combine Tsou and Coran to improve air impermeability because it is against simple logic to combine Tsou and Coran for improving air impermeability. The teaching of Tsou and Coran clearly demonstrates the exact opposite trend, i.e., decreasing air impermeability. Furthermore, the results disclosed in the Applicants' application are surprising in view of the teaching of Tsou and Coran. The air impermeability improves with similar green strength (processability).

Applicants also respectfully traverse the rejection on grounds that the Office Action has not established a *prima facie* case of obviousness. To establish *prima facie* obviousness of a claimed invention, all claim limitations must be taught or suggested by the prior art. See In re Royka, 490 F.2d 981, 180 USPQ 580 (CCPA 1974). Further, the teaching or suggestion to make the claimed invention and the reasonable expectation of success must both be found in the prior art, not in the applicants' disclosure. See M.P.E.P. § 2143, citing In re Vacck, 947 F.2d 488 (Fed. Cir. 1991). Still further, the examiner must *particularly* identify any suggestion, teaching or motivation from *within* the references to combine the references (emphasis added). See In Re Dermiczak, 50 USPQ2d 1614 (Fed. Cir. 1999). Here, the Office Action has provided no suggestion, teaching or motivation from *within* the references to combine their teachings. The motivation or teaching found in the cited references logically teaches away from the claimed invention as currently amended.


Applicants respectfully submit that withdrawal of the rejection and allowance of the claims is respectfully requested.

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Having addressed all issues set out in the office action, Applicant respectfully submits that the pending claims are now in condition for allowance. Applicant invites the Office Action to telephone the undersigned attorney if there are any issues outstanding which have not been addressed to the Office Action's satisfaction. A petition for extension of time for filing this response is attached; however, in the event that petition becomes separated from this Response, the Commissioner is hereby authorized to charge counsel's Deposit Account No. 05-1712, for any fees, including extension of time fees or excess claim fees, required to make this response timely and acceptable to the Office.

Respectfully submitted,

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Date

  
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